

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA

DIVISION

2005 SEP 15 A 10:06

DEBRA P. HACKETT, CLERK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT OF ALA.

ISRAEL Gutierrez

Plaintiff(s)

v.

JUDGE BRIGHT and  
Lt. from 21 Jump Street and  
Montgomery County Detention  
Facility

Defendant(s)

2:05CV883-D

MOTION TO PROCEED IN FORMA PAUPERIS

Plaintiff(s) \_\_\_\_\_

moves this Honorable Court for an order allowing her/him to proceed in this case without prepayment of fees, costs, or security therefor, and for grounds therefor submits the attached sworn affidavit in support of the motion.

\_\_\_\_\_  
Plaintiff(s) signature

## UNITED STATES DISTRICT COURT

District of

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Plaintiff

V.

Defendant

2005 SEP 15 10:06  
 APPLICATION TO PROCEED  
 WITHOUT PREPAYMENT OF  
 FEES AND AFFIDAVIT  
 JESSIE J. JACKETS CLK  
 U.S. DISTRICT COURT  
 MIDDLE DISTRICT ALA

CASE NUMBER:

I, ISRAEL Gutierrez declare that I am the (check appropriate box)☒ petitioner/plaintiff/movant ☐ other

in the above-entitled proceeding; that in support of my request to proceed without prepayment of fees or costs under 28 USC §1915 I declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief sought in the complaint/petition/motion.

In support of this application, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated? ☒ Yes ☐ No (If "No," go to Part 2)

If "Yes," state the place of your incarceration MONTGOMERY County Detention CenterAre you employed at the institution? NO Do you receive any payment from the institution? NO

Attach a ledger sheet from the institution(s) of your incarceration showing at least the past six months' transactions.

2. Are you currently employed? ☐ Yes ☒ No

a. If the answer is "Yes," state the amount of your take-home salary or wages and pay period and give the name and address of your employer.

b. If the answer is "No," state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer.

3. In the past 12 twelve months have you received any money from any of the following sources?

- |   |   |  |
|---|---|--|
| a. Business, profession or other self-employment  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| b. Rent payments, interest or dividends           | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| c. Pensions, annuities or life insurance payments | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| d. Disability or workers compensation payments    | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            |
| e. Gifts or inheritances                          | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| f. Any other sources                              | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            |

If the answer to any of the above is "Yes," describe, on the following page, each source of money and state the amount received and what you expect you will continue to receive.

AO 240 Reverse (Rev. 10/03)

\$108 from VA  
\$675 from Social Security

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LEENA D. HACKETT, CLK  
U.S. DISTRICT COURT  
FEDERAL DISTRICT OF MASSACHUSETTS  
☒ Yes ☐ No

4. Do you have any cash or checking or savings accounts?

If "Yes," state the total amount. \$500

5. Do you own any real estate, stocks, bonds, securities, other financial instruments, automobiles or any other thing of value? ☒ Yes ☐ No

If "Yes," describe the property and state its value.

Home its value is 86,000  
But my wife is losing it because of my  
situation

6. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support. Sandra h. Gutierrez wife

Maydianne A. Gutierrez

Shop Aaron Gutierrez

Samantha Jo. Gutierrez

Julian A. Gutierrez

Abilynn Gutierrez

ALL my Kids

I declare under penalty of perjury that the above information is true and correct. all my money goes to my wife to pay bills.

09-13-2005  
Date

[Signature]  
Signature of Applicant

**NOTICE TO PRISONER:** A Prisoner seeking to proceed without prepayment of fees shall submit an affidavit stating all assets. In addition, a prisoner must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.